CITY HALL COUNCIL CHAMBERS
SANTA MARIA, CALIFORNIA
REGULAR MEETING

JULY 20, 2010

INVOCATION:
Pastor Mark Parke of Central Coast Rescue Mission gave the invocation.

PLEDGE OF ALLEGIANCE TO THE FLAG:
Councilmember Zacarías led the Pledge of Allegiance.

CALL TO ORDER:
Mayor Lavagnino called the Regular Meeting of the City Council to order at 6:30 p.m.

ROLL CALL:
MEMBERS PRESENT
Councilmembers Cordero, Orach, Patino, Zacarías, and Mayor Lavagnino.

STAFF MEMBERS PRESENT
City Manager Ness, Senior Assistant City Attorney/Utilities Counsel Stockton, Assistant City Manager Haydon, Fire Chief Jones, Director of Public Works/City Engineer Whitehead, Director of Administrative Services Visé, Director of Utilities Sweet, Police Chief Macagni, Planning Division Manager Woods, City Librarian Buchanan, Traffic Engineer Holden, and Chief Deputy City Clerk Perez.

RESOLUTION RECOGNIZING AND COMMENDING BARBARA WITTERICK
Mayor Lavagnino read the resolution recognizing and commending Barbara Witterick for her 15 years of dedicated service to the Santa Maria community as a member of the Library Board of Trustees.

Resolution No. 2010-80 was adopted on motion by Mayor Lavagnino, seconded by Councilmember Patino, and carried on the following vote:

AYES:	Councilmembers Cordero, Orach, Patino, Zacarías, and Mayor Lavagnino
NOES:	None
ABSENT:	None
ABSTAIN:	None

Resolution No. 2010-80 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, RECOGNIZING AND COMMENDING BARBARA WITTERICK FOR HER OUTSTANDING SERVICE TO THE SANTA MARIA LIBRARY BOARD OF TRUSTEES AND CONGRATULATING HER ON HER RETIREMENT.

Mayor Lavagnino presented the resolution to Barbara Witterick.

RECREATION AND PARKS VOLUNTEERS OF THE MONTH
Councilmember Orach presented a gift to Pastor Carl Nielsen representing "Serve Santa Maria," the July Recreation and Parks Volunteers of the Month. Serve Santa Maria is a large cross-section of the community working in collaboration with the Santa Maria Ministerial Association, who provided approximately 235 volunteers from 12 different churches on April 17, 2010, to help clean the City through graffiti removal.

PROCLAMATION – NATIONAL STOP ON RED WEEK
Councilmember Patino read a proclamation declaring the week of August 1 – 7, 2010, as "National Stop on Red Week" in the City of Santa Maria and calling upon all residents, parents, youths, businesses, hospitals, and civic organizations to remind family, friends and co-workers to take the time to stop at red traffic signals in order to help reduce the number of traffic accidents and injuries. The proclamation was accepted by Hallie Holden, City Traffic Engineer.

PUBLIC COMMENT
Marvin Marlett spoke about the City's sign ordinance which forbids sandwich board signs. He said he took down his sandwich board signs and has lost about $100 to $200 a day in revenue. He complained about selective enforcement. Sandwich board signs should be allowed with restrictions. Business owners need to advertise. He advocated making sandwich board signs acceptable with design standards.

Mayor Lavagnino stated he had been thinking about this for a while. When the Council changed the sign ordinance two years ago, economics were a lot different than now. He recommended looking at it again. He thought it was punitive for small businesses.

Tom Davidson spoke about the E-verify program. He said he knew that there were contractors and subcontractors hiring illegal immigrants who were working on City contracts. The public had a right to know how many were being hired at taxpayers' expense. They were taking jobs away from law-abiding citizens.

Mickey Freeman stated she was disappointed that the Council did not agree to use E-verify for City contractors and businesses. It was a tool to eliminate illegal immigrants from the workforce of Santa Maria. She hoped the Council would look at it again.

Richard Dydell said in the future he would like every City Council in the County to pass a resolution asking the Board of Supervisors to pass an ordinance for the H2A Ag Workers Program. He said there were virtually no flaws in the E-verify program now. He agreed that City's contractors and subcontractors should be using legal immigrants and citizens.

Sally Rodriguez's comments were read by Barbara Gregory. She is a legal immigrant from Costa Rica. She thanked the Police Chief for the DUI traffic stops and asked that they do more of them. She talked about the fines and penalties imposed in Costa Rica. She suggested that the fines be raised in Santa Maria.

Gwen Wood spoke about stabbings, car jackings, and robberies in the City in the last 20 days. She talked about Santa Barbara and the wonderful things it offered its residents and visitors. Santa Maria had little to offer except its affordable housing. People would expect it to be a safe community, but it was not.

CONSENT CALENDAR
Councilmember Cordero requested Item 3L be pulled for discussion.

Item 3L – Humane Society Land Lease
Councilmember Cordero stated he wanted to comment on the unique partnership the City has with the Humane Society on this very important project. The fact that the Allan Hancock College has also partnered to use this facility for training was another example of unique partnerships between the City and the college.

Consent Calendar Items 3A through 3L were approved on motion by Councilmember Orach, seconded by Councilmember Cordero, and carried on the following vote:

AYES: Councilmembers Cordero, Orach, Patino, Zacarías, and Mayor Lavagnino
NOES: None
ABSENT: None
ABSTAIN: None

A. ORDINANCES
The reading in full of all ordinances and resolutions was waived. Ordinances on the Consent Calendar were adopted by the same vote cast at the first reading unless City Council indicated otherwise.

B. MINUTES
The Minutes of the Regular City Council Meeting of July 6, 2010, were approved as submitted.

C. RELEASE OF BOND
Council accepted as complete the public improvements associated with La Vigna at Westgate Ranch, Tract 5865, and released a Faithful Performance Bond in the reduced amount of $19,789.75 for construction and installation of boundary walls, with the order that the Contractor, Labor and Material bond be retained until January 2011.

D. RELEASE OF BOND
Council accepted as complete the public improvements associated with West A Street Business Center, Tract 5879, and released a Faithful Performance Bond in the reduced amount of $50,000 for the construction and installation of earthwork and road surface improvements, with the order that the Contractor, Labor and Material Bond be retained until January 2011, and the Guarantee and Defective Material Bond be retained until July 2011.

E. WARRANTS
Warrant Nos. 159909 to 160261 totaling $2,935,495.15 were ordered ratified subject to having been certified as being in conformity with the budget and having been approved for payment by the Director of Administrative Services. Warrant Nos. 151027, 158479, 159289, and 159846 were cancelled.

F. PAYROLL
Payment of payroll was ordered ratified subject to having been certified by the proper Department Heads, as shown on records on file in the Department of Administrative Services and having been approved for payment by the Director of Administrative Services.

G. DEFERRAL OF PERS EMPLOYEE CONTRIBUTIONS
Resolution No. 2010-81 was adopted authorizing employees' contributions to the California Public Employees Retirement System (CalPERS), as required by the Internal Revenue Service (IRS) Ruling 2006-43.

Resolution No. 2010-81 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, AUTHORIZING TAX DEFERRED MEMBER PAID CONTRIBUTIONS – SECTION 414(h)(2) OF THE INTERNAL REVENUE CODE EMPLOYER PICK-UP.

H. ORDINANCE NO. 2010-04
Council conducted the second reading of Ordinance No. 2010-04 amending the Municipal Code related to funding for the Historical Society by title only and adopted the Ordinance.

Ordinance No. 2010-04 adopted. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, AMENDING SECTION 3-9.04 OF CHAPTER 9 OF TITLE 3 "TRANSIENT OCCUPANCY TAX" OF THE SANTA MARIA MUNICIPAL CODE.

I. ORDINANCE NO. 2010-05
Council conducted the second reading of Ordinance No. 2010-05 amending the Municipal Code related to barbed wire, razor wire, or similar sharp materials in the construction of walls and fencing by title only and adopted the Ordinance.

Ordinance No. 2010-05 adopted. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, AMENDING CHAPTERS 12-27 AND 12-35 OF TITLE 12 OF THE SANTA MARIA MUNICIPAL CODE, PERTAINING TO THE USE OF BARBED WIRE, RAZOR WIRE AND OTHER SIMILAR SHARP MATERIALS IN THE CONSTRUCTION OF FENCING.

J. CALL FOR BIDS
Council gave approval to call for bids on the plans and specifications for Santa Maria Regional Landfill Multi-Year NHIS Rolling Closure, Bid No. 2011/03.

K. USED OIL PAYMENT PROGRAM
Resolution No. 2010-82 was adopted approving Multi-Year Blanket Applications for Used Oil Payment Program funds and authorizing the Director of Utilities, or his

designee, to execute all necessary applications, agreements, payment requests, annual reports, and amendments for the purpose of securing funds to support the City's Used Oil Collection Program.

Resolution No. 2010-82 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, AUTHORIZING THE MULTI-YEAR BLANKET APPLICATIONS FOR USED OIL PAYMENT PROGRAM FUNDS.

L. HUMANE SOCIETY LEASE

Resolution No. 2010-83 was adopted authorizing the Director of Utilities to enter into Amendment Eight to lease dated March 12, 1987, between the Santa Maria Valley Humane Society and the City at 751 South Black Road known as the Black Road Property Lease; and a new lease for property at 1687 Stowell Road (Stowell Road Lease) for the 6.10 acres bordering the eastern section of the land.

Resolution No. 2010-83 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, APPROVING AN AMENDMENT TO HUMANE SOCIETY LEASE AT 751 BLACK ROAD AND EXECUTION OF LEASE AT 1687 STOWELL ROAD.

APPOINTMENTS TO VARIOUS COMMITTEES AND BOARDS.

Chief Deputy City Clerk Perez gave the staff report. The City Council is requested to make five appointments to the Block Grants Advisory Committee and two appointments to the Library Board of Trustees. The term of office for Block Grants Advisory Committee is three years. Recommendations for nominations will be made by individual Councilmembers. Appointments are made by the Mayor with ratification by the City Council. The term of office for the Library Board of Trustees is also three years. Appointments are made by the Mayor with ratification by the City Council. The following applications were received for the Block Grants Advisory Committee:

Donna Beal
Sandra Bierdzinski (incumbent)
Rosalie Marquez (incumbent)
August (Bud) Narachi
Donna Wolcott (incumbent)

Mayor Lavagnino stated he had been out of the area and would like his appointment postponed for at least two weeks.

Councilmember Cordero nominated Rosalie Marquez
Councilmember Orach nominated Donna Wolcott
Councilmember Zacarías nominated Sandra Bierdzinski

Councilmember Patino also requested her appointment be postponed and the application deadline be extended.

Mayor Lavagnino accepted the nominations for the Block Grants Advisory Committee. On motion by Councilmember Orach, seconded by Councilmember Cordero, and carried unanimously, the Council confirmed the appointment of Sandra Bierdzinski, Rosalie Marquez, and Donna Wolcott to three-year terms on the Block Grants Advisory Committee, and staff was directed to extend the filing deadline for the two remaining seats and readvertise the vacancies.

The following applications were received for the Library Board of Trustees:

Hinda Beaman
Avery Gallas (incumbent)
Sara Lougee
Jacqueline MacNeil

Mayor Lavagnino appointed Avery Gallas and Jacqueline MacNeil. On motion by Mayor Lavagnino, seconded by Councilmember Patino, and carried unanimously, the Council confirmed the appointment of Avery Gallas and Jacqueline MacNeil to three-year terms on the Library Board of Trustees.

APPROVAL OF THE NEW FEE RATE STRUCTURE FOR DAY-USE ADMISSION TO THE LOS FLORES RANCH PARK AREA.

Director of Recreation and Parks Posada gave the staff report. The City Council will consider a recommendation from the Recreation and Parks Commission to establish a new fee rate structure for day-use admission to the Los Flores Ranch Park Area to be effective August 1, 2010. The Los Flores Ranch Park Area held its grand opening to the public on June 27, 2009. This area is now open to the public from 8:00 a.m. to 6:00 p.m. on Thursdays for equestrian use only, and on Friday, Saturday, and Sunday to the general public for hiking, mountain bikes, etc. In order to partially offset some of the Recreation and Parks Department's operating expenses, staff had initially proposed establishing day-use admission fees to this park area, and an in-depth discussion about the various fee options was held at the Recreation and Parks Commission Meeting on June 9. 2009. A public hearing was also conducted at the Recreation and Parks Commission Meeting on July 14, 2009, in order to formally receive all public input on the subject of proposed fees. The estimated operating costs of the Los Flores Ranch Property for 2009's salaries were well over $60,000, and an additional $40,000 in trail maintenance supplies. In 2008, the City Council adopted a resolution approving the park and directing staff to develop a fee schedule for use. Since opening, there have been 3,256 guests at the park.

Staff originally proposed a higher fee structure. However, after compiling data on park usage from June 2009 to present, receiving input from the public and the Recreation and Parks Commission, staff developed a revised rate proposal which was discussed at the Commission Meeting held on May 11, 2010. The new fees would be $3.00 for adults, $1.50 for seniors, $10.00 for families and groups, an annual pass would be $45.00 for residents and $60.00 for non-residents, and a special interest group pass of $200 for up to 25 people. These fees would take effect on August 1, 2010, and would generate approximately $8,000 annually.

Mayor Lavagnino asked if there would be a kiosk to collect the fees and how many people visiting the park were not residents of the City.

Director Posada replied that the park was staffed every day it was open to the public. He explained that of the 3,256 people visiting the park last year, only 521 were Santa Maria residents.

Councilmember Zacarias asked if there were any other City facilities that had such a low number of City residents compared to residents outside the City.

Director Posada said he did not know of any.

Councilmember Zacarias stated it was important to know that the City was spending almost $100,000 to operate the park when only about 16% of the users were from the City of Santa Maria.

Mayor Lavagnino opened the public hearing.

Recreation and Parks Commission Chairperson Terri Zuniga spoke about the Recreation and Parks Commission's position on the fee structure. The Commission and Department were faced with the growing struggle of offering recreation programs and parks to the public while enduring more and more cutbacks. The Commission conducted long and serious debate on the fee issue. The Commission supports staff's recommendation to impose a use fee at Los Flores Ranch. In order to partially offset the operating costs, day use admission fees to the area were proposed at the Commission meeting on June 9, 2009, with much discussion since that time. In order for the City to provide the public with recreational opportunities, the need to asses the fees was unavoidable. After careful deliberation by the Commission and input from the public, the Commission felt confident in its decision to approve the recommended fee structure.

Randall Bouza stated he felt the annual fee was excessive. He has worked 13 years for the forest service and visited many parks throughout the west. For the size of the relatively undeveloped park, $45 a year was out of proportion with most public parks.

For example, Yosemite National Park had an annual fee of $40. He asked if any analysis had been done on the decrease in usage after the fees were implemented.

Richard Hall stated he and his wife had been volunteer docents at Los Flores Ranch since shortly after it opened. He felt the day-use fee should be for each vehicle rather than each person. He talked about fees for other facilities. He thought there were other ways to raise $8,000 a year than by charging admission fees, such as a memorial bench program or special events at Los Flores Ranch.

Hearing no further requests to speak, Mayor Lavagnino closed the public hearing.

Councilmember Cordero stated he was not in favor of the fee until he heard that most of the visitors were from outside the City of Santa Maria. He suggested establishing a program where someone could volunteer at the park and earn a free pass. He understood and appreciated that the City probably needed to establish a fee structure.

Councilmember Patino stated she did not have a problem charging a fee for non-residents; but Santa Maria residents paid for Los Flores Ranch Park and should not be charged.

Councilmember Zacarías stated she felt it was important to know that the City was using City funds to provide a service that was only being used by 16% of City residents. That was unfair. If she was to support any fees at all, she would want City residents exempt. She did not think $8,000 was worth the barrier it would create to using this facility. For her the idea had always been to create an open space for people to go to. If the City was doing a poor job of marketing the park to City residents, then she would like to encourage doing a better job. She would have a difficult time supporting any fee.

Councilmember Orach stated money did not fall from the clouds. The City had $60,000 in personnel expenses. The Environmental Impact Report said the City had to have open space, and the City had to monitor it. There was an expense in trying to maintain and master that. People have to pay to use the City's swimming pool. Before tonight, he was not aware of the number of people that use that facility. The City was spending a lot of money to operate that park and needed to recapture those funds somehow.

Councilmember Patino stated she understood what Councilmember Orach was saying, but it was a different economic time. Later in the agenda, the Council was going to be asked to allocate $20,000 for a program. In a few months, the Council would be asked to increase developer fees. During these times, she did not think City residents should have to pay to use this pristine park. There were not a lot of those areas in the Santa Maria Valley. She would not support a fee structure for Santa Maria residents, but she would for non-residents.

Mayor Lavagnino stated he did not want to see the City get into a situation where they asked people where they live. People came from all over to use the Library and the swimming pool. He did not like being discriminatory. He would support the fee structure as proposed.

Councilmember Zacarías asked if the park operating expenses could be funded through the Solid Waste Fund since it would also be a landfill.

City Manager Ness stated it was a possibility and something staff would be investigating; however, it would be the ratepayers of the City of Santa Maria paying those costs. He suggested advertising that a City resident could get into Los Flores Ranch Park free by bringing a utility bill or picture ID showing they were a City resident. That might be a way to encourage more City residents to use the park.

Resolution No. 2010-84 was adopted approving the Recreation and Parks Commission's recommendation of a new fee rate structure for day-use admission fees to the Los Flores Ranch Park area with the amendment that the fees be for non-residents only on motion by Councilmember Patino, seconded by Councilmember Zacarías, and carried on the following vote:

AYES: Councilmembers Cordero, Orach, Patino, Zacarías, and Mayor Lavagnino
NOES: None
ABSENT: None
ABSTAIN: None

Resolution No. 2010-84 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, APPROVING THE COMMISSION'S RECOMMENDATION OF A NEW FEE RATE STRUCTURE FOR DAY-USE ADMISSION FEES TO THE LOS FLORES RANCH PARK AREA.

ANNUAL WEED ABATEMENT PROGRAM ASSESSMENTS.
Director of Public Works/City Engineer Whitehead gave the staff report. The City Council will consider protests to the proposed assessments for the City's Annual Weed Abatement Program to be collected as part of the 2010-11 property tax rolls. On March 16, 2010, Streets and Facilities staff mailed an abatement letter to owners of 157 properties. This letter informed the property owners of the Weed Abatement Program and that their property was in need of abatement. By signing and returning the mailed abatement letter to the Streets and Facilities Supervisor, property owners indicated their intention to accomplish abatement on their own and to continually abate nuisances in the event of recurrence. The abatement letter gave a deadline of April 14, 2010, for property owners to notify the Streets and Facilities Supervisor of their intent to accomplish their own abatement. After receiving notification, property owners themselves abated 142 lots. The City's contractor abated weeds and debris on the balance of 15 lots. The Streets and Facilities Supervisor has developed a report of costs and has listed by assessor parcel number the 15 lots abated. Landfill charges were distributed to those lots where the volume of weeds or other debris created the need to haul material off-site. The administrative fee calculation method is based on a straight percentage of the abatement costs and generally covers the costs associated with the work required to administer the program, secure the services of contractors, and measure the areas of abatement for payments to the contractors. The cost of abatement constitutes a special assessment against said properties. Charges for the service will be added to the property tax bill for each parcel abated by the City. Work performed on City-owned properties is paid out of funds budgeted for this purpose.

Mayor Lavagnino opened the public hearing. Hearing no requests to speak, Mayor Lavagnino closed the public hearing.

Resolution No. 2010-85 was adopted confirming the report of weed abatement costs and directing the costs to be submitted to Santa Barbara County for collection with the 2010-11 property taxes on motion by Councilmember Orach, seconded by Councilmember Zacarías, and carried on the following vote:

AYES: Councilmembers Cordero, Orach, Patino, Zacarías, and Mayor Lavagnino
NOES: None
ABSENT: None
ABSTAIN: None

Resolution No. 2010-85 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, CONFIRMING REPORT OF WEED ABATEMENT COSTS FOR ASSESSMENT PURPOSES BY THE STREETS AND FACILITIES SUPERVISOR.

LANDSCAPE MAINTENANCE DISTRICT ASSESSMENTS.
Director of Recreation and Parks Posada gave the staff report. The purpose of this item is to confirm the assessment rates which were presented to the public and the City Council at the June 1, 2010, City Council Meeting for the City's four Landscape Maintenance Districts and their associated Special Benefit Zones. These assessments comply with the laws that govern Landscape and Lighting Districts under the California Streets and Highways Code and the 1972 Landscape and Lighting Act. By City Council's policy, any new residential or commercial development that occurs within the City of Santa Maria is conditioned to be annexed into a Landscape Maintenance District, and if necessary, a Special Benefit Zone. Per the Streets and Highway Code, a municipality is authorized with the "duty of superintending, directing, planting, maintaining, removing and otherwise caring for the parks, trees, shrubs and vegetation"

as it pertains to a specific residential or commercial project directly associated with its corresponding Landscape Maintenance District or Special Benefit Zone. The assessment amounts for Special Benefit Zones (SBZ) are based on the amount of square footage of public easement landscaping that is proposed for the project, and the intensity or amount of landscaping that is initially installed by the developer. Future increases in maintenance and utility costs and the renovation of landscaping and hardscape are also taken into consideration.

In Fiscal Year 2010-11, it is projected that there will be 8,252 dwelling units and 493 commercial properties within the four Districts. Although this is an increase of 73 residential dwelling units and 32 commercial units from last fiscal year, these numbers are lower than the previous year. There are still 18 Special Benefit Zones that are assessed. These Districts and Special Benefit Zones and their respective revenue projections, were detailed in the Engineer's Report which was approved by City Council on June 1, 2010. The District maps showing the boundaries for each of the Districts and Special Benefit Zones were also included with the Engineer's Report.

Since 2004, all residential properties and commercial properties have been assessed the same amount within their respective Landscape Maintenance Districts. Although it has been the City's practice to increase annual assessments by the CPI, there was no CPI increase in the last fiscal year. However, for the upcoming 2010-11 Fiscal Year, it has been proposed that an increase of 1.8% be levied. Administrative Services staff provides the CPI which is derived by the U.S. Department of Labor, Bureau of Labor Statistics for Urban Los Angeles-Riverside-Orange County Areas, which is the applicable CPI for Santa Maria. City staff has been able to keep costs under control by working with the City's contractors to get the best possible prices.

Mayor Lavagnino opened the public hearing.

Walter Hicks Taylor stated he was a new homeowner in the City. The Landscape Maintenance District portion of his tax bill was over $490 last year. He asked to have the Southwest Landscape District operating budget and reserve fund for the last two fiscal years and this year posted on the City's website. He asked that the information be made available to the public as well as the Engineer's Reports. He also asked that the 1.8% increase not be instituted and a 10% decrease be approved.

Director Posada stated all the Landscape Maintenance Districts documents were available to the public either through the City budget or through public records requests.

Hearing no further requests to speak, Mayor Lavagnino closed the public hearing.

Councilmember Zacarias asked if the 1.8% increase was a direct reflection of the City's increased costs or just based on the CPI. She did not support tax increases that were based on the CPI without a direct link to expenses. She asked for a copy of the operating budget and reserve fund amounts.

Councilmember Patino also expressed concern about not having financial information available.

Director Posada stated they did look at the general benefit each year. Costs for contractors were going up. The contractors were now in the second year of a two-year bid. The City would be soliciting bids in December and awarding new contracts in January. State law prevented the City from raising costs more than expenses.

Resolution Nos. 2010-86, 2010-87, 2010-88, and 2010-89 were adopted ordering assessments for the City's four Landscape Maintenance Districts and Special Benefit Zones on motion by Councilmember Orach, seconded by Councilmember Cordero, and carried on the following vote:

AYES: Councilmembers Cordero, Orach, and Mayor Lavagnino
NOES: Councilmembers Patino, Zacarias
ABSENT: None
ABSTAIN: None

Resolution No. 2010-86 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, CONFIRMING THE DIAGRAM AND ASSESSMENTS FOR THE SOUTH MILLER STREET/SOUTH COLLEGE DRIVE LANDSCAPE MAINTENANCE ASSESSMENT DISTRICT NO. DS-6.

Resolution No. 2010-87 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, CONFIRMING THE DIAGRAM AND ASSESSMENTS FOR THE NORTHWEST LANDSCAPE MAINTENANCE ASSESSMENT DISTRICT NO. DS-9.

Resolution No. 2010-88 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, CONFIRMING THE DIAGRAM AND ASSESSMENTS FOR THE NORTHEAST LANDSCAPE MAINTENANCE ASSESSMENT DISTRICT NO. DS-10.

Resolution No. 2010-89 to be adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, CONFIRMING THE DIAGRAM AND ASSESSMENTS FOR THE SOUTHWEST LANDSCAPE MAINTENANCE ASSESSMENT DISTRICT NO. DS-11.

DRUG ABUSE AND RESISTANCE EDUCATION (DARE) PROGRAM AND SCHOOL RESOURCE OFFICER (SRO) PROGRAM.

Police Chief Macagni gave the staff report. The City Council is asked to consider a report about options to fund the Drug Abuse and Resistance Education (DARE) program and School Resource Officer (SRO) program. At the June 15th Council meeting, staff was directed to research the funding options for possibly continuing the two positions. Shortly after that meeting the School District offered to partially fund the DARE program with $25,000 of one-time money, and now an additional $10,000 one-time donation from Wells Fargo Bank has been offered. In addition, staff was asked to research any alternative programs that might be offered by any non-profit organizations. All City departments went through a painstaking exercise to cut their operational budgets at the Council's direction for the 2010-11 budget. The Police Department's task was to cut 3%, which equated to over $600,000 in reductions within the operating budget. The only way to achieve this was to cut positions, which staff was able to do through attrition, rather than recommending eliminating live positions. This was not taken lightly, and after careful consideration made the recommendation to suspend the DARE program, one SRO position and one Beat Coordinator position, one dispatcher, and the Crime Analyst. These positions are only being suspended and not eliminated. When the economy recovers, they will be replaced.

Within the staff report, the non-profit agencies that are currently offering anti-drug and anti-gang education are listed. Keep in mind that the non-profits can offer similar services through presentations, information and counseling; however, that cannot replace the interaction between a uniformed police officer and the 6th grade students.

It would be necessary for the Police Department to re-allocate $20,480 from its Provisional Officer Program to fund the DARE officer's part-time salary. The Police Department is concerned that it might become necessary, in the future, to transport prisoners to the main jail facility in Goleta in the event the Sheriff's Department decides to close the Santa Maria booking and holding facility. If that occurred, it might be necessary to use this money to pay Provisional Officers to work as transportation officers, which would require us to reevaluate the Department's current programs. If the Council chose to continue the DARE program on a limited basis, a resolution was necessary to accept the money from the School District and Wells Fargo Bank to be applied toward the DARE program operations.

Concerning the SRO position, the cost of an SRO is approximately $118,000 annually. Currently, the City receives $50,000 on an annual basis from the two school districts. The only other option would be to cut a position from one of the other support units - Gangs, Narcotics, Traffic, or Detective Bureau. There will still be three SROs on the school campuses. The three officers will have to share the additional responsibilities and the schools will have to handle some of the activity themselves.

Councilmember Cordero asked to have the DARE program and the SRO voted on separately.

Councilmember Zacarías stated this Council made a commitment to invest $30,000 for something supporting youth if a match could be found. The City did not receive a match. She felt these donations provided a match, and she would support continuing the DARE program for this year only. What made DARE different from the other programs was the irreplaceable relationship between the DARE officer and the children.

Councilmember Orach stated the commitment was for $30,000 in CDBG funding, and he did not know if that money could be used for the DARE program. He thought that money was supposed to go to other organizations that provided youth services.

City Manager Ness stated the $30,000 was General Fund money, not CDBG funds. The City did budget that money for fiscal year 2009-10 and was not able to find a match. That money was not budgeted for this fiscal year. If the Council chose to fund the DARE program, the money would come from the Provisional Officer Program line item in the Police Department budget.

Councilmember Cordero stated he would be in favor of supporting the continuance of the DARE program because there was no way to replace the interaction between the officer and the children. It was important to continue that kind of relationship.

Councilmember Patino stated the $30,000 initially was for program enhancements. She said she was really conflicted in this. Fighting Back Santa Maria Valley provided the same type of program and was evidence based. She said she understood that the School Superintendent supported the SRO over the DARE program.

Jody Oliver, Santa Maria-Bonita School Board Member, stated the DARE program was being conducted in the 6th grade classes. The DARE program was one of the few positive experiences the children had with the Police. They were proud of their relationship with the DARE officer. The DARE program had a force in just about every place in the country. There were many other programs available for the children. This was one program that came into the classroom and was reinforced by teachers and curriculum on a daily basis. She said she would hate to see the DARE program eliminated.

Resolution No. 2010-90 was adopted accepting donations from Santa Maria-Bonita School District and Wells Fargo Bank for a scaled-down DARE program on motion by Councilmember Cordero, seconded by Councilmember Zacarías, and carried on the following vote:

AYES: Councilmembers Cordero, Orach, Patino, Zacarías, and Mayor Lavagnino
NOES: None
ABSENT: None
ABSTAIN: None

Resolution No. 2010-90 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, AUTHORIZING THE ACCEPTANCE OF ONE-TIME DONATIONS TO FUND THE DRUG ABUSE RESISTANCE EDUCATION (DARE) PROGRAM.

No action was taken regarding the School Resource Officer.

CITY MANAGER'S REPORT

City Manager Ness reported on items anticipated for the August 3, 2010, City Council meeting including the Five-Year Consolidated Plan (CDBG & HOME) & Final Action Plan, the Short Range Transit Plan, and a proposed "Good Neighbor" Ordinance.

ORAL REPORTS BY COUNCILMEMBERS

Councilmember Orach reported work and company visiting the last two weeks had curtailed his activities. He asked the viewing public to please stop at red lights and stop using cell phones while driving.

Councilmember Zacarías reported she attended the Building Green Workforce Partnership, the artist reception for Sunni Gibbons, the Kiwanis Bingo Bonanza, attended the Relay for Life Midnight Pajama Contest as a judge, two meetings of the Workforce Investment Board's Green Employers Council, the Community Action Commission Board meeting, and announced there would be a Chardonnay Festival on July 31st in Santa Maria.

Mayor Lavagnino reported he was vacationing in Hawaii for the last two weeks. He did talk to 46 students visiting City Hall from France and China.

Councilmember Patino reported she attended a meeting on developer fees, spoke at the opening ceremony for Relay for Life, and went to the Santa Barbara County Fair several times.

Councilmember Cordero reported he was also gone for most of the last two weeks. He did attend a meeting at Allan Hancock College on how they could meet some of the needs of the at-risk youth in the community in conjunction with Future Search.

Councilmember Patino stated they got people all the time saying the Council and the Police Department were not doing enough to combat gangs and violence. She felt a town hall meeting that was televised would help get the word out. People needed to be educated since the Council could not respond to people who spoke under Public Comment. She felt it was a discussion that was needed to happen and be televised.

Councilmember Cordero asked if it would be cost prohibitive to include an announcement of the meeting with the water bills. He said he would like to see the meeting overflowing with people.

City Manager Ness stated one thing the Council might want to consider was scheduling something on Public Access Television.

Councilmember Patino stated there were questions that needed to be answered, and that couldn't happen on the Public Access Channel.

Councilmember Orach stated if the Council was going to hold that type of meeting, the Council Chambers was not big enough. The meeting at the Vet's Hall was very comfortable and could accommodate more people; however, it could not be televised through the City's system.

City Manager Ness stated the logistics for televising a town hall meeting at the Vet's Center would be difficult.

Councilmember Zacarías stated those questions that have been asked at the Council meetings were part of the minutes. She asked if at a future meeting there could be an agenda item to answer those questions. She knew the Council felt limited in responding to questions and comments to the public. There were very strong opinions based on limited facts that did not allow any type of dialog or problem solving. It was accusatory and demoralizing; however, it was the right of every person to come and speak. She was very satisfied with how the Police Department has been responsive and the partnerships they have been able to form. If the City could continue to use Public Access Television to get the message to the public, that was fine. She would not be supportive of another town hall meeting.

ADJOURNMENT

There being no further business to come before the City Council at this time, the meeting was declared adjourned at 8:45 p.m. by Mayor Lavagnino in honor of Ken Milo, an educator in Santa Maria for many years.

APPROVED

August 3, 2010
Date

Chief Deputy City Clerk and ex officio
Clerk of the City Council

ATTEST

Chief Deputy City Clerk

Mayor of the City of Santa Maria